

(b) The release of the conditions described in subsection (a) of the first section of this Act shall not take effect with respect to any of the certain portions until such time as an exchange of real property for that certain portion is executed in accordance with the terms of agreement described in subsection (a) of this section.

Approved January 2, 1975.

## Public Law 93-594

### AN ACT

January 2, 1975  
[H. R. 5264]

To amend section 3(f) of the Federal Property and Administrative Services Act of 1949, with respect to American Samoa, Guam, and the Trust Territory of the Pacific Islands.

40 USC 472

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 3(f) of the Federal Property Administrative Services Act of 1949 is amended by inserting after the words "Puerto Rico," the words "American Samoa, Guam, the Trust Territory of the Pacific Islands."

Approved January 2, 1975.

## Public Law 93-595

### AN ACT

January 2, 1975  
[H. R. 5463]

To establish rules of evidence for certain courts and proceedings.

Federal Rules  
of Evidence.  
28 USC app  
Effective date.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following rules shall take effect on the one hundred and eightieth day beginning after the date of the enactment of this Act. These rules apply to actions, cases, and proceedings brought after the rules take effect. These rules also apply to further procedure in actions, cases, and proceedings then pending, except to the extent that application of the rules would not be feasible, or would work injustice, in which event former evidentiary principles apply.

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RULES OF EVIDENCE FOR UNITED STATES  
COURTS AND MAGISTRATES

28 USC app.

## ARTICLE I. GENERAL PROVISIONS

## Rule 101. Scope

These rules govern proceedings in the courts of the United States and before United States magistrates, to the extent and with the exceptions stated in rule 1101.

## Rule 102. Purpose and Construction

These rules shall be construed to secure fairness in administration, elimination of unjustifiable expense and delay, and promotion of growth and development of the law of evidence to the end that the truth may be ascertained and proceedings justly determined.

## Rule 103. Rulings on Evidence

(a) Effect of erroneous ruling.—Error may not be predicated upon a ruling which admits or excludes evidence unless a substantial right of the party is affected, and

- (1) Objection.—In case the ruling is one admitting evidence, a timely objection or motion to strike appears of record, stating

499f, 499g(c)); naturalization and revocation of naturalization under sections 310–318 of the Immigration and Nationality Act (8 U.S.C. 1421–1429); prize proceedings in admiralty under sections 7651–7681 of title 10, United States Code; review of orders of the Secretary of the Interior under section 2 of the Act entitled “An Act authorizing associations of producers of aquatic products” approved June 25, 1934 (15 U.S.C. 522); review of orders of petroleum control boards under section 5 of the Act entitled “An Act to regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes”, approved February 22, 1935 (15 U.S.C. 715d); actions for fines, penalties, or forfeitures under part V of title IV of the Tariff Act of 1930 (19 U.S.C. 1581–1624), or under the Anti-Smuggling Act (19 U.S.C. 1701–1711); criminal libel for condemnation, exclusion of imports, or other proceedings under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301–392); disputes between seamen under sections 4079, 4080, and 4081 of the Revised Statutes (22 U.S.C. 256–258; *nabeas corpus* under sections 2241–2254 of title 28, United States Code, motions to vacate, set aside or correct sentence under section 2255 of title 28, United States Code; actions for penalties for refusal to transport destitute seamen under section 4578 of the Revised Statutes (46 U.S.C. 679), actions against the United States under the Act entitled “An Act authorizing suits against the United States in admiralty for damage caused by and salvage service rendered to public vessels belonging to the United States, and for other purposes”, approved March 3, 1925 (46 U.S.C. 781–790), as implemented by section 7730 of title 10, United States Code.

#### Rule 1102. Amendments

*Infra.*

Amendments to the Federal Rules of Evidence may be made as provided in section 2076 of title 28 of the United States Code.

#### Rule 1103. Title

These rules may be known and cited as the Federal Rules of Evidence.

SEC. 2 (a) Title 28 of the United States Code is amended—

(1) by inserting immediately after section 2075 the following new section.

28 USC 2076.

#### “§ 2076. Rules of evidence

Report to Congress.

“The Supreme Court of the United States shall have the power to prescribe amendments to the Federal Rules of Evidence. Such amendments shall not take effect until they have been reported to Congress by the Chief Justice at or after the beginning of a regular session of Congress but not later than the first day of May, and until the expiration of one hundred and eighty days after they have been so reported; but if either House of Congress within that time shall by resolution disapprove any amendment so reported it shall not take effect. The effective date of any amendment so reported may be deferred by either House of Congress to a later date or until approved by Act of Congress. Any rule whether proposed or in force may be amended by Act of Congress. Any provision of law in force at the expiration of such time and in conflict with any such amendment not disapproved shall be of no further force or effect after such amendment has taken effect. Any such amendment creating, abolishing, or modifying a privilege shall have no force or effect unless it shall be approved by act of Congress”; and

(2) by adding at the end of the table of sections of chapter 131 the following new item:

"2076. Rules of evidence."

(b) Section 1732 of title 28 of the United States Code is amended by striking out subsection (a), and by striking out "(b)".

(c) Section 1733 of title 28 of the United States Code is amended by adding at the end thereof the following new subsection:

"(c) This section does not apply to cases, actions, and proceedings to which the Federal Rules of Evidence apply."

SEC. 3. The Congress expressly approves the amendments to the Federal Rules of Civil Procedure, and the amendments to the Federal Rules of Criminal Procedure, which are embraced by the orders entered by the Supreme Court of the United States on November 20, 1972, and December 18, 1972, and such amendments shall take effect on the one hundred and eightieth day beginning after the date of the enactment of this Act.

Approved January 2, 1975.

18 USC 3771  
note

28 USC 2071  
note

Effective date

## Public Law 93-596

### AN ACT

To amend the Trademark Act of 1946 and title 35 of the United States Code to change the name of the Patent Office to the "Patent and Trademark Office".

January 2, 1975  
[H. R. 7599]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. The Trademark Act of 1946, 60 Stat. 427, as amended (15 U.S.C. sec. 1051 et seq. (1970)), and title 35 of the United States Code, entitled "Patents", are amended by striking out each time they appear "Patent Office" and "Commissioner of Patents" and inserting in lieu thereof "Patent and Trademark Office" and "Commissioner of Patents and Trademarks", respectively.

Patent Office.  
Name change.

35 USC 1 et  
seq.

SEC. 2. Section 29 of the Trademark Act of 1946 is further amended by striking out "Reg. U.S. Pat. Off." and inserting in lieu thereof "Reg. U.S. Pat. & Tm. Off."

15 USC 1111

SEC. 3. The terms "Patent Office" and "Commissioner of Patents" in all laws of the United States shall mean "Patent and Trademark Office" and "Commissioner of Patents and Trademarks", respectively.

35 USC 1 note.

SEC. 4. This Act shall become effective upon enactment. However, any registrant may continue to give notice of his registration in accordance with section 29 of the Trademark Act of 1946 (60 Stat. 427), as amended Oct. 9, 1962 (76 Stat. 769), as an alternative to notice in accordance with section 29 of the Trademark Act as amended by section 2 of this Act, regardless of whether his mark was registered before or after the effective date of this Act.

Effective date.  
15 USC 1111  
note.

Approved January 2, 1975.